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ORACLE AMERICA, INC.

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

ORACLE AMERICA, INC.

Plaintiff,

v.

GOOGLE, INC.

Defendant.

Case No. CV 10-03561 WHA

**[PROPOSED] ORDER GRANTING IN  
PART ORACLE AMERICA, INC.'S  
ADMINISTRATIVE MOTION TO FILE  
UNDER SEAL**

Dept.: Courtroom 8, 19th Floor  
Judge: The Honorable William Alsup

Before the Court is Oracle America, Inc.'s Administrative Motion To File Under Seal Portions Of Oracle's Motion To Exclude Portions Of The Rule 706 Expert Report Of Dr. James Kearl. Based on the arguments presented in the administrative motion, in the supporting Declaration of Deborah K. Miller, and any other relevant matter, the Court hereby **GRANTS IN PART** the motion. The following information shall remain under seal:

- The following portions of Exhibit E to the Declaration of Meredith Dearborn In Support Of Oracle's Motion To Exclude Portions of the Rule 706 Expert Report Of Dr. James Kearl ("Dearborn Decl."):
  - Kearl Report ¶¶ 21, 29, 30, parts of 46, parts of 50, parts of 55, parts of 58, 62, 63, parts of 64, parts of 65, parts of 66, the list in 68, parts of 69, parts of 70, parts of 71, parts of 73, 75, parts of 76, parts of 77, parts of 78, parts of 81, and the entirety of Section J (paragraphs 87–96 and footnotes 45–51, with the exception of certain sentences relating exclusively to Android revenues), 107, parts of 109, parts of 111, parts of 114, parts of 125, parts of 127, 129, 130, 132, 133, parts of 134, parts of 135, parts of 136, parts of 137, parts of 138, parts of 141, parts of 143, 144, 145, 146, 147, 148, parts of 149, 150, parts of 153, 155, 159; and parts of 167;
  - Kearl Report footnotes 31, 42, 44, parts of footnote 63, parts of footnote 91; and parts of 155;
  - Kearl Report Appendix D ¶¶ parts of 184 (1), 184(2), parts of 184(4), 184(5), 184(6), 184(7), parts of 185(1), 185(3), parts of 186, parts of 191, and parts of 192;
  - Kearl Report Tables 1, 2, 5, 6, 7 and 10
- The following portions of Exhibit F to the Dearborn Decl:
  - Kearl Dep. 31:2–34:3; 34:22–35:4; 43:1–25; 47:10–25; 49:2–52:8; 52:15; 53:3–7; 53:13–54:21; 54:21–54:25; 55:2–10; 55:14–56:7; 57:15–23; 60:6–10, 17–21; 61:21–22; 66:4–13; 67:4–7; 177:11–20; 127:5–25; 129:4–14; 130:9–131:1; 131:6–133:13; 134:8–139:12; 140:22–141:8; 143:7–11; 144:24–145:7; 146:2–10; 180:20–181:8; 182:4–188:6; 189:9–23; 189:23–191:22; 218:2–25; 220:20–221:8; and 222:24–223:10.

IT IS SO ORDERED.

Dated: \_\_\_\_\_

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 WILLIAM ALSUP  
 UNITED STATES DISTRICT JUDGE